Town of West Springfield

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September 12, 2025

Via Email: ***jon.gerhardson@gmail.com***
Jonathan Gerhardson
Freelance Journalist

Re: Public Records Request

Dear Jonathan:

Please let this letter serve as a response to your public records request dated August 25, 2025 and received by the West Springfield Police Department on that date. Your requests are copied below and the Town's responses follow each.

1. Organization Audit in Flock.
The report should include data logged from the period of July 19 until the date this request is processed. Per Flock's documentation, the Organization Audit is available within the Insights tab and is defined as searches done within the agency.

Response: Please see responsive records attached hereto. The system retains this data for only thirty (30) days; accordingly, you have been provided with the audit report covering the period beginning August 12, 2025 through the present. Certain information has been withheld, specifically data related to individual license plate numbers, the reasons for the searches, and the associated case numbers. The information is being withheld pursuant to the Investigatory Exemption (G.L. c. 4, §7(26)(f)), as the requested data is compiled as part of the Police Department's law enforcement investigatory activities. Disclosure would reveal information related to criminal investigations, investigatory techniques, and the Department's deployment of law enforcement resources. The Public Records Law expressly exempts "investigatory materials necessarily compiled out of the public view" if disclosure would prejudice effective law enforcement. Release of this data would compromise the confidentiality of ongoing investigations and risk undermining public safety. In addition, the data related to specific license plate numbers is being withheld pursuant to the Privacy Exemption (G.L. c. 4, §7(26)(c)), as the license plate numbers could be linked to identifiable individuals. Disclosure of such personally identifying data would constitute an unwarranted invasion of personal privacy. In addition, the information is being withheld pursuant to the statutory exemption (G.L. c. 4, §7(26)(c)), based on the Driver's Privacy Protection Act (18 U.S.C. §2721 et seq.). To the extent that responsive records contain or could be used to obtain personal information maintained by the Registry of Motor Vehicles, federal law prohibits disclosure of such information except under limited circumstances not applicable here.

2. Network Audit in Flock.
The report should include data logged from the period of July 19, to the date this request is processed. Per Flock's documentation, the Network Audit is available within the Insights tab and is defined as searches of the organization's Flock network by any agency in the Flock System.

Response: Please see responsive records attached hereto. The system retains this data for only thirty (30) days; accordingly, you have been provided with the audit report covering the period beginning August 12, 2025 through the present. Certain information has been withheld, specifically data related to individual license plate numbers, the reasons for the searches, and the associated case numbers. The information is being withheld pursuant to the Investigatory Exemption (G.L. c. 4, §7(26)(f)), as the requested data is compiled as part of the Police Department's law enforcement investigatory activities. Disclosure would reveal information related to criminal investigations, investigatory techniques, and the Department's deployment of law enforcement resources. The Public Records Law expressly exempts "investigatory materials necessarily compiled out of the public view" if disclosure would prejudice effective law enforcement. Release of this data would compromise the confidentiality of ongoing investigations and risk undermining public safety. In addition, the data related to specific license plate numbers is being withheld pursuant to the Privacy Exemption (G.L. c. 4, §7(26)(c)), as the license plate numbers could be linked to identifiable individuals. Disclosure of such personally identifying data would constitute an unwarranted invasion of personal privacy. In addition, the information is being withheld pursuant to the statutory exemption (G.L. c. 4, §7(26)(c)), based on the Driver's Privacy Protection Act (18 U.S.C. §2721 et seq.). To the extent that responsive records contain or could be used to obtain personal information maintained by the Registry of Motor Vehicles, federal law prohibits disclosure of such information except under limited circumstances not applicable here.

If you wish to appeal this determination you have the right to file an administrative appeal to the Supervisor of Records under §10A(a) and 950 CMR 32.08(1), and the right to seek judicial review by commencing a civil action in the superior court pursuant to G.L. c.66, §10A(c).

Very Truly Yours,

Kate R. O'Brien Scott, Esq.
Chief of Staff/General Counsel